

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

1 of 13

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

Devin L. Coleman

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

Civ. Action No. \_\_\_\_\_  
(To be assigned by Clerk's  
Office)

William Ngwa, Jasvir Kaur,  
Shatya Henderson-Hamwright,  
Feeah Stewart, Centurion

**COMPLAINT**  
(Pro Se Prisoner)

Jury Demand?

☒ Yes

☐ No

Robert May (Warden), Michael Trader (Captain)

(In the space above enter the full name(s) of the defendant(s).)

If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section IV. Do not include addresses here.)

**NOTICE**

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

**Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.**

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

2

**I. COMPLAINT**

Indicate below the federal legal basis for your claim, if known. This form is designed primarily for pro se prisoners challenging the constitutionality of their conditions of confinement, claims which are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

Check one:

- ☒ 42 U.S.C. § 1983 (state, county, or municipal defendants)
- ☐ Action under *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)

**II. PLAINTIFF INFORMATION**

Coleman, Devin L.  
Name (Last, First, MI) Aliases

00434475  
Prisoner ID #

James T. Vaughn Correctional Center (JTVCC)  
Place of Detention

1181 Paddock Rd  
Institutional Address

New-Castle, Smyrna DE 19977  
County, City State Zip Code

**III. PRISONER STATUS**

Indicate whether you are a prisoner or other confined person as follows:

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

3

**IV. DEFENDANT(S) INFORMATION**

Please list the following information for each defendant. If the correct information is not provided, it could result in the delay or prevention of service. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant 1:

Ngwa, William

Name (Last, First)

Provider (at JTVCC)

Current Job Title

1181 Paddock Rd

Current Work Address

New Castle Smyrna

County, City

DE

State

19977

Zip Code

Defendant 2:

Kaur, Jasvir

Name (Last, First)

Provider (at Howard R. Young Correctional Institute "HRYCI")

Current Job Title

1301 East 12th Street

Current Work Address

New Castle Wilmington

County, City

DE

State

19809

Zip Code

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

4

**Defendant(s) Continued**

Defendant 3:

Henderson-Hamwright, Shatya  
Name (Last, First)Provider (at HRYC) ~~HR~~  
Current Job Title1301 East 12th  
Current Work AddressNewcastle, Wilmington  
County, CityDE  
State19809  
Zip Code

Defendant 4:

Stewart Feeah  
Name (Last, First)Pronger (at JTVCC)  
Current Job Title1181 Paddock Rd  
Current Work AddressNewcastle, SMYRNA  
County, CityDE  
State19977  
Zip CodeDefendant 5: Centurion (official capacity)  
NamePrison Medical Service Provider  
Job1593 Spring Hill Road, Suite 600  
AddressVienna, VA 22182  
city state zip

Defendant 6

Robert MAY  
Name

(Official Capacity)

WARDEN @ JTVCC  
Job1181 Paddock RdSMYRNA, DE 19977

Defendant 7

Michael TRADER (Official Capacity)CAPTAIN @ JTVCC1181 Paddock RdSMYRNA DE 19977



(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

## V. STATEMENT OF CLAIM

Place(s) of  
occurrence:

at "HRYCI" and "JTVCC"

Date(s) of occurrence:

Between 7/22/20 and present date

State which of your federal constitutional or federal statutory rights have been violated:

8<sup>th</sup> amendment deliberate indifference

State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions, state whether you were physically injured as a result of those actions, and if so, state your injury and what medical attention was provided to you.

FACTS:

What  
happened to  
you?

As a result of a 2012 left eye orbital fracture I was previously diagnosed w/ "Lagophthalmos" which is essentially the inability to close one eye completely. The condition causes me sustained acute eye pain, chronic headaches, extreme light sensitivity, frequent double vision, light flashes, nausea and vertigo. I was initially committed to the Doc as an unsentenced inmate on or about 7-22-20. Beginning with my initial commitment at (Howard R Young Correctional Institute) "HRYCI" in 7-2020, I constantly submitted numerous sick call and grievance forms related to left eye pain and ~~severe~~ <sup>severe</sup> sensitivity to light. As a result of prior medical condition and current continued pain I was subsequently added to chronic-care designation. Chronic care is a medical designation for inmates w/ chronic conditions or illnesses that require regular and closer review. Chronic care inmates are seen by providers (prison-DR's) at least once a month. On or about 8-14-20 I was seen by defendant provider William Ngwa, who at that time wrote a medical memo for solar shield glasses to mitigate light exposure. At that time I also requested

Who did  
what?

"Tramadol" be ordered for pain which he declined and explained to me (even tho he'd himself prescribed this medication to me three times within the last 6 mths and was fully aware of my eye condition and accompanying pain), 'this is a different facility and a new medical service provider - due to policy, I can not (plaintiff was previously incarcerated serving 8 years at James T. Vaughn (AKA JTVCC) where defendant William Ngwa, was plaintiff's primary treating <sup>physician</sup> ~~physician~~. I was released 6-11-20 and subsequently re-incarcerated for a rap) on or about 8-21-20 I ~~received~~ <sup>received</sup> the medically provided solar shield glasses. Due to constant pain, on or about 1-12-21 defendant provider Jasvir Kaur, after ~~seeing~~ <sup>seeing</sup> me for complaints of pain due to light ~~exposure~~ <sup>exposure</sup> Kaur, wrote a medical memo to have me authorized to have darker glasses delivered to the prison for medical reason. On or about 1-20-21 defendant Jasvir Kaur, after seeing plaintiff again for continued eye pain and reviewing past medical history, prescribed me tramadol to relieve severe headaches and eye pain. Tramadol is a pain medication which ~~had~~ <sup>had</sup> previously been prescribed to me by multiple treating Doc and community physicians. it effectively reduced my pain level with the least amount of side effects, defendant provider Jasvir Kaur was made aware of this by discussion with plaintiff during medical visits and by review of my prison medical record from prior institution - (JTVCC) At no point since this initial prescription at "HRYCI" has defendants or any other medical ~~doctor~~ <sup>doctor</sup> found plaintiff's underlying condition had improved or the severe pain accompanying it, had diminished without medication. Defendant Jasvir Kaur allowed that 1-20-21 order to lapsed. After several days in pain without effective pain medication and <sup>severe</sup> requests to be seen by medical, on or about 2-4-21 defendant provider Shatyrn Henderson-Hamwright again represcribed me tramadol to relieve the severe headaches and left eye pain. even tho this medication was the only medication



(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

Was anyone  
else  
involved?

proven effective at providing any relief from the severe pain I was experiencing this order of tramadol would also help. I was told by defendant Shatyra Henderson-Hammwright, during a 2-20-21 medical visit that it didn't matter if I was in pain or that other medications had been ineffective and/or ineffective w/ <sup>adverse</sup> reactions for medical policy tramadol and any other narcotic wouldn't be authorized for more than 7 days. Due to the aforementioned confusion policy the 2-4-21 order by defendant provider Shatyra Hammwright was the last time effective pain medication was ordered while plaintiff was housed at "HRYC". Between <sup>that time</sup> ~~and~~ and 5-7-21 defendant Shatyra Henderson Hammwright would go on to order more than 8 different medications many OTC's (over the counters) each ineffective or ineffective w/ documented adverse reaction: stomach pain, blood in stool, rash, fever, nausea ect. Still rather than reorder medication that worked tramadol or effective equivalent, many of these meds, known to be ineffective meds were reordered multiple times by this defendant and provider Jasvir Kaur. Between 2-4-21 and 5-8-21 over (20+) sick calls to be seen by medical for pain were submitted by plaintiff to medical. At times no treatment was rendered at all. Numerous appointments with outside pain management specialist for consult were made and ~~missed~~ frequently cancelled or missed. On or about 5-11-21 I was first ordered a pain management consult by defendant Shatyra Henderson-Hammwright, on or about 7-12-21 I was again ordered pain management consult by ~~defendant~~ <sup>defendant</sup> Jasvir Kaur. Several other consult appointments were made and missed on or about 7-15-21 Jasvir Kaur, re-ordered "ibuprofen" which, at that time, this medication was listed in my medical file as being ineffective and known to cause adverse reaction. Plaintiff wasn't seen for consult with pain management until 3-2022. On or about 8-9-21 I was seen by DR. Kordley at "HRYC" she is



(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

Was anyone  
else  
involved?

a ophthalmologist, whom after seeing me, made written order for glasses darker than current solar shields to mitigate continued pain, intensified by light exposure. I never received darker glasses due to defendants Kaur and Hamwright, disregarding the recommendation order for ~~glasses~~ <sup>treatment</sup>. Which ~~was~~ ~~subject~~ ~~to~~ ~~HRYCE~~ ~~provider's~~ ~~final~~ ~~approval~~. After being transferred from HRYCE to JYCC in 2/22, I was finally seen by PAW Management who after seeing me ordered DARKER photosensitivity glasses, pain medication: tramadol and nerve medication Lyrica. Upon returning to the institution within days I was seen by provider defendants, William Ngwa and Feeah Stewart I was told the gabapentin would be ordered but per policy tramadol, could not, no effective ~~equivalent~~ <sup>equivalent</sup> was ordered. At that time I explained I was in pain, a lot of pain and would be without treatment for it. The providers acknowledged plaintiff's condition and pain but said there would be no further action to present date nor was I issued or permitted to receive darker glasses. As a result of the combined effect of defendants deliberate indifference to my serious medical need for pain treatment (including but not limited to) darker glasses and effective pain medication) plaintiff has fell off the top ~~bunk~~ <sup>BUNK</sup> in the cell due to being dizzy from ~~light~~ light exposure (mid March 2022), often the headaches are so great plaintiff can't sleep, plaintiff's vision is often blurry or doubled making it impossible to read, example: case law. At the usual font size printed by JYCC's LAW Library (or most other ~~printed~~ PRINTED DOCUMENTS) plaintiff has changed the way he EATS AS FAR AS Timing on very sunny days ~~pl~~ plaintiff is more likely than not to be nauseated due to light exposure, previously plaintiff has vomited due to

\* gabapentin is equivalent to Lyrica

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

10

Was anyone  
else  
involved?

nausea, which is intensified by light exposure. on or about  
MARCH 31 2022 I contacted the MNU unit commander defendant  
~~Michael~~ Michael TRADER AKA "captain TRADER" and requested  
I be moved to a cell where I can control the light and/or  
OR the overhead cell light, in the cell I'm currently housed,  
be dimmed or extinguished due to it causing me pain, I also  
wrote grievances, that were returned unprocessed and directed  
me to follow up with capt trader which I did and no  
further action was taken on or about 4-25-22 I sent  
via in-house mail a letter to warden Robert May and  
the medical ~~health~~ service Administrator explaining my eye  
condition and resulting pain, I explained how medical providers  
were refusing to treat me for the chronic pain and that without  
intervention it'd likely continue. I explained how my pain was  
intensified by light exposure and how recommendations were  
made but not followed by <sup>outside</sup> providers, I requested the warden in addit-  
-ion to, specifically a change my cell or to dim or extinguish the  
bright light that turns on at 7am everyday till 11:30 pm—  
how I was already in pain and that light was causing  
the pain to be intensified. I never received any response  
I personally had a conversation with captain TRADER about my eye  
condition and resulting pain. ~~He said he would take care of it~~  
~~He said he would take care of it~~  
~~He said he would take care of it~~  
~~He said he would take care of it~~  
~~He said he would take care of it~~  
in late March or April in 2022  
at JYEC. As the MNU unit commander he could have moved my cell  
and or had the light dimmed or extinguished. Also Defendant Warden  
May could have moved my cell or had light dimmed or extinguished  
I subsequently wrote the warden and captain that  
I'd be filing another grievance about the light exposure  
and lack of treatment for pain and I did, write another  
grievance, neither defendant wrote back or took action.



(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

**VI. ADMINISTRATIVE PROCEDURES**

*WARNING: Prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions. 42 U.S.C. § 1997e(a). Your case may be dismissed if you have not exhausted your administrative remedies.*

Is there a grievance procedure available at your institution? ☒ Yes ☐ No

Have you filed a grievance concerning the facts relating to this complaint? ☒ Yes ☐ No  
If no, explain why not:

Is the grievance process completed? ☒ Yes ☐ No  
If no, explain why not:

**VII. RELIEF**

State briefly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

25,000<sup>00</sup> Compensatory damages Against William AGRA in his individual capacity, 15,000<sup>00</sup> (each) Compensatory damages against JASVIR KAUR and SHATURN Henderson-Hammwright (in individual capacity) 10,000<sup>00</sup> compensatory damages Against Feesh Stewart (in individual capacity) Centurion: 40,000<sup>00</sup> Against Centurion, Compensatory official capacity & injunctive Relief Against Robert May (Warden) and Captain Michael TRADER (official capacity); dimming or extinguishing the over head cell light where plaintiff is housed. Positive damages against Centurion, in official capacity

**VIII. PRISONER'S LITIGATION HISTORY**

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in forma pauperis in federal court if that prisoner has "on three or more occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. §1915(g).

Have you brought any other lawsuits in state or federal court while a prisoner?

☒ Yes ☐ No

If yes, how many?

4

Number each different lawsuit below and include the following:

- Name of case (including defendants' names), court, and docket number
- Nature of claim made
- How did it end? (For example, if it was dismissed, appealed, or is still pending, explain below.)

- 19-696 Delaware indifference, under appeal currently
- Devin Coleman v. connections 2019 of 2018  
settled -
- Devin Coleman v. Matthew Stevenson state court  
dismissed
- Of court Coleman v. Cathell Powell maybe 2012  
voluntarily withdrawn



**IX. PLAINTIFF'S DECLARATION AND WARNING**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; and (3) complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

*Plaintiff must sign and date the complaint and provide prison identification number and prison address.*

05-8-2022

Dated



Plaintiff's Signature

Coleman, DEVIN

Printed Name (Last, First, MI)

00434475

Prison Identification #

1181 Paddock Rd

Prison Address

SMYRNA

City

DE

State

19977

Zip Code

**Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.**